

## Message Text

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PAGE 01     SEOUL 09054 130450Z

21

ACTION EA-09

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 NSCE-00

SSO-00 USIE-00 INRE-00 IO-13 DHA-02 /065 W

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O P 130410Z NOV 76

FM AMEMBASSY SEOUL

TO SECSTATE WASHDC IMMEDIATE 513

INFO AMEMBASSY TOKYO PRIORITY

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EO 11652: N/A

TAGS: PINT, KS

SUBJ: MYONGDONG TRIAL: FIRST APPEAL SESSION HELD

1. FIRST SESSION OF APPEAL IN MYONGDONG DECLARATION TRIAL WAS HELD NOVEMBER 13 WITH ALL 18 DEFENDANTS PRESENT. DEFENSE OPENED PROCEEDINGS BY REQUESTING TEN EXPERT WITNESSES, WHO WOULD BE EXPECTED TO VERIFY VALIDITY OF CHARGES IN MYONDONG DECLARATION. PROSECUTION HAD CHARGED DECLARATION MADE FALSE ALLEGATIONS ABOUT GOVERNMENT POLICIES AND NATIONAL CONDITIONS. ALSO REQUESTED HIM CHI HA TRAIL RECORD AS EVIDENCE.

2. PROSECUTION DEMANDED REJECTION OF ALL WITNESSES, AS BIASSED IN FAVOR OF DEFENDANTS. HIM TAE CHUNG THEN ROSE AND DEMANDED PRESIDENT PAK BE CALLED, ARGUING HE WOULD NOT BE BIASSED IN FAVOR OF DEFENDANTS AND WOULD HAVE FULL INFORMATION ON ISSUES WHICH HAD BEEN AT ISSUE IN DECLARATION.

3. COURT RECESSED BRIEFLY AND RECONVENED, WITH JUDGE ANNOUNCING ACCEPTANCE OF FOUR WITNESSES. OTHER REQUESTS TO BE HELD IN ABEY-ANCE. THOSE ACCEPTED ARE: DR. YU CHIN O, FORMER PRESIDENT OF KORYO UNIVERSITY AND OPPONENT OF PAK IN 1967 ELECTION, TO DISCUSS CONSTITUTIONAL ISSUES: CHO KWAN U, FORMER TONGA ILBO CHIEF, ON PRESS FREEDOM; PROFESSOR CHANG WON CHONG OF TONGKUK UNIVERSITY,  
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PAGE 02     SEOUL 09054 130450Z

ON FOREIGN ECONOMIC DOMINATION; AND ASSEMBLYMAN O SE UNG, ON

THIRD WORLD DIPLOMACY. JUDGE ALSO ACCEPTED KIM CHI HA TRAIL  
RECORD AS EVIDENCE.

4. AT CLOSE OF SESSION JUDGE ASKED KIM TAE CHUNG ABOUT HIS  
HEALTH. HIM COMPLAINED HE HAD NOT BEEN PROPERTLY EXAMINED BY ANY  
PHYSICIAN SINCE HIS ARREST AND SAID HE WAS IN SOME DISCOMFORT..  
HOWEVER, HE APPEARED IN GOOD HEALTH TO EMBASSY EMPLOYEE PRESENT.  
(COMMENT: FORMER PRIVATE SECRETARY AND CLOSE ASSOCIATE OF KIM  
CONFIRMS EARLIER REPORT THAT KIM HAS BEEN PUT IN BETTER CELL,  
WITH HEAT, AS RESULT OF HUNGER STRIKE BY FELLOW DEFENDANT YI  
MUN YONG.")

5. AFTER TRIAL, ATTORNEY FOR DEFENSE TOLD EMBASSY EMPLOYEE  
THAT JUDGE FOR APPEAL APPEARED MORE EVEN HANDED THAN HAD FIRST  
TRIAL JUDGE. NEXT SESSION SET FOR NOVEMBER 20.  
SNEIDER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** COURT PROCEEDINGS, POLITICAL TRIALS  
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**Disposition Approved on Date:**  
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**Disposition Case Number:** n/a  
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**Type:** TE  
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